

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ANDRE G. LEWIS, Sr., #Y45784,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 20-cv-00514-JPG
)	
JEFFERSON COUNTY SHERRIFF,)	
LT. WHITING,)	
SGT. ROBERTS,)	
SGT. BERDA,)	
CPT. SCOTT,)	
OFFICER WINCHESTER,)	
OFFICER RENELA,)	
and JEFF BULLARD,)	
)	
Defendants.)	

ORDER DISMISSING CASE

GILBERT, District Judge:

Plaintiff Andre Lewis, Sr., brought this action pursuant to 42 U.S.C. § 1983 to challenge three disciplinary tickets that resulted in his punishment with segregation at Jefferson County Jail in 2020. (Docs. 1 and 26). Following screening of the First Amended Complaint pursuant to 28 U.S.C. § 1915A, he was allowed to proceed with Fourteenth Amendment claims against Lieutenant Whiting for the second ticket issued April 18, 2020 (Count 2) and against Sergeant Roberts and Captain Scott for the third ticket issued May 7, 2020 (Count 3). (*See* Docs. 27-28). All other claims and defendants were dismissed, including Counts 1 and 4 and Defendants Jefferson County Sheriff, Berda, Winchester, Renela, and Bullard. (Doc. 27).

In lieu of an answer, Defendants Whiting, Roberts, and Scott filed a motion to dismiss Counts 2 and 3 pursuant to Federal Rule of Civil Procedure 12(b)(6). (Doc. 37). The motion was granted on February 11, 2022, and Counts 2 and 3 were also dismissed. (Doc. 41).

Plaintiff was then given an opportunity to file a Second Amended Complaint on or before March 11, 2022, if he intended to pursue any claims in this action. (Doc. 41, p. 6). He was warned that failure to do so would result in dismissal of this action for failure to comply with a court order and/or prosecute his claims. (*Id.*) (citing FED. R. CIV. P. 41(b)). He missed the deadline. At least a week has passed since it expired, and he has not requested an extension. In fact, the Court has heard nothing from Plaintiff since early August 2021. (*See* Docs. 39-40). The Court will not allow this matter to linger any longer. This action shall be dismissed with prejudice for failure to comply with the Court's Order (Doc. 41) to file a Second Amended Complaint and/or to prosecute his claims. *See* FED. R. CIV. P. 41(b).

Disposition

IT IS HEREBY ORDERED that this action is **DISMISSED** with prejudice based on Plaintiff's failure to comply with the Court's Order (Doc. 41) to file a Second Amended Complaint and/or prosecute his claims. *See* FED. R. CIV. P. 41(b); *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

The Clerk's Office is **DIRECTED** to close this case and enter judgment accordingly.

IT IS SO ORDERED.

DATED: 3/18/2022

s/J. Phil Gilbert
J. PHIL GILBERT
United States District Judge